

## Comment to FCC

There are good reasons not to tamper with Indiana's present "Do Not Call" regulations:

- 1) There is a right of ordinary people not to be badgered by those who, for the cost of a few cents, are able to invade their privacy and repose at hours of their choosing. A phone call, made typically during the dinner hour when folks are most likely to be at home, is a home invasion quite unlike the piles of unwanted direct mail advertising with which we are deluged. The latter can be disposed of in less than two seconds; and even in this case, one can sign up to be removed from direct mail lists. A phone call has to be dealt with, conversation and tasks come to a halt, and all this takes place in a situation where one is at the discretion of another.
- 2) Forfeiting such calls is not an interference with commerce among the states. There is no right to enter another's home in the pursuit of business. There is a critical difference between a relationship where the initiative is in the hands of the potential customer and where it is left to a vendor who has already entered your home. There is no analogy to door-to-door sales where one need not even answer the door once you see who is knocking.
- 3) The presumption ought to be in favor of federalism in cases where the "burden" (such as it is) is trivial. There are alternative ways in which vendors can peddle their goods and services--cable companies do so all the time. When a state responds to a strong public opinion that the people don't want to be hassled, it is proper that a national government respectful of local differences and preferences keep its hands off.